

111TH CONGRESS
2D SESSION

H. R. 5868

To amend the Outer Continental Shelf Lands Act to establish conditions for the issuance of oil and gas leases under that Act to prevent discharges of oil in operations under such leases, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2010

Mr. HALL of New York introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Outer Continental Shelf Lands Act to establish conditions for the issuance of oil and gas leases under that Act to prevent discharges of oil in operations under such leases, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe Drill Act of
5 2010”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) The April 20, 2010, explosion and sinking
2 of the mobile offshore drilling unit Deepwater Hori-
3 zon resulted in the largest discharge of petroleum in
4 the history of the United States.

5 (2) The disaster has cost the Nation tens of bil-
6 lions of dollars in economic damages and widespread
7 devastation of natural resources.

8 (3) For more than three months, tens of thou-
9 sands of barrels of oil have been discharged into the
10 Gulf of Mexico by the Deepwater Horizon oil spill.

11 (4) Evidence shows that the use of acoustic
12 switches and blowout preventers can greatly reduce
13 the chance of an uncontrolled oil spill.

14 (5) BP p.l.c. has already spent more than
15 \$4,000,000,000 in direct response to the Deepwater
16 Horizon oil spill.

17 (6) The total cost of the Deepwater Horizon oil
18 spill will likely soar past the \$20,000,000,000 claims
19 fund established by BP p.l.c. for the Deepwater Ho-
20 rizon oil spill.

21 (7) Acoustic switches cost approximately
22 \$500,000 per oil well.

1 **SEC. 3. CONDITIONS FOR THE ISSUANCE OF NEW OFF-**
 2 **SHORE OIL AND GAS LEASES.**

3 Section 8(d) of the Outer Continental Shelf Lands
 4 Act (43 U.S.C. 1337(d)) is amended by inserting “(1)”
 5 after “(d)”, and by adding at the end the following new
 6 paragraph:

7 “(2) The Secretary shall require, as a condition and
 8 term of any oil and gas lease under this section, that the
 9 lessee certify that the lessee will—

10 “(A) use the best available technology for all
 11 operations under the lease, including acoustic sen-
 12 sors; and

13 “(B) adopt and implement a comprehensive
 14 plan to respond to and clean up any discharge of oil
 15 occurring in operation under the lease.”.

16 **SEC. 4. REQUIREMENTS FOR EXISTING OFFSHORE OIL AND**
 17 **GAS LEASES.**

18 (a) BEST AVAILABLE TECHNOLOGY.—

19 (1) CERTIFICATION REQUIREMENT.—The Sec-
 20 retary of the Interior shall require that each person
 21 that on the date of the enactment of this Act holds
 22 an oil and gas lease issued under the Outer Conti-
 23 nental Shelf Lands Act (43 U.S.C. 1331 et seq.)
 24 must certify, by not later than 6 months after the
 25 date of enactment of this Act, that they use the best

1 available technology in all operations under the
2 lease.

3 (2) TERMINATION OF OPERATIONS.—The Sec-
4 retary—

5 (A) may order such a person to suspend
6 operations if the person has not made the cer-
7 tification required under paragraph (1) by not
8 later than 6 months after the date of enactment
9 of this Act; and

10 (B) shall cancel the lease if the person has
11 not made the certification required under para-
12 graph (1) by not later than 18 months after the
13 date of enactment of this Act.

14 (b) COMPREHENSIVE RESPONSE PLAN.—

15 (1) CERTIFICATION REQUIREMENT.—The Sec-
16 retary of the Interior shall require that each person
17 that on the date of the enactment of this Act holds
18 an oil and gas lease issued under the Outer Conti-
19 nental Shelf Lands Act (43 U.S.C. 1331 et seq.)
20 must certify, by not later than 6 months after the
21 date of enactment of this Act, that they have adopt-
22 ed and implemented a comprehensive plan to re-
23 spond to and clean up any discharge of oil occurring
24 in operation under the lease.

1 (2) TERMINATION OF OPERATIONS.—The Sec-
2 retary—

3 (A) may order such a person to suspend
4 operations if the person has not made the cer-
5 tification required under paragraph (1) by not
6 later than 6 months after the date of enactment
7 of this Act; and

8 (B) shall cancel the lease if the person has
9 not made the certification required under para-
10 graph (1) by not later than 18 months after the
11 date of enactment of this Act.

12 **SEC. 5. REVIEW OF BLOWOUT PREVENTERS, EMERGENCY**
13 **SHUTOFF SYSTEMS, AND OTHER OIL DIS-**
14 **CHARGE PREVENTION TECHNOLOGY.**

15 Section 5(b) of the Outer Continental Shelf Lands
16 Act (43 U.S.C. 1334(b)) is amended by inserting “(1)”
17 after “(b)”, and by adding at the end the following new
18 paragraph:

19 “(2) The Secretary of the Interior shall—

20 “(A) to review blowout preventers, emergency
21 shutoff systems, and other oil discharge prevention
22 technology (including emerging technology) that is
23 or may be used for oil and gas drilling operations
24 under leases under this Act; and

1 “(B) revise regulations under this Act gov-
2 erning the use of such technology as necessary based
3 on that review.”.

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